

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

CHRISTOPHER M. PAYNE,	)	4:11CV3017
	)	
Plaintiff,	)	
	)	
v.	)	<b>MEMORANDUM</b>
	)	<b>AND ORDER</b>
FRED BRITTEN, et al.,	)	
	)	
Defendants.	)	

This matter is before me on Defendants’ Motion to File Under Seal. (Filing [134](#).) In the Motion, Defendants ask me to issue an order sealing the Exhibits contained in filing 136, filed in support of their Motion for Summary Judgment. (*Id.*; Filing [136](#).) Defendants argue that sealing these exhibits is necessary “because they contain sensitive information relating to minor children and possible illegal activities.” (Filing [134](#).) The Exhibits contained in filing 136 have been provisionally filed under seal.

Out of an abundance of caution, and instead of sealing the Exhibits, I will restrict filing 136. However, Defendants should be aware that I may, at a later date, choose to lift the restriction on filing 136.

IT IS ORDERED:

1. Defendants’ Motion to File Under Seal (filing [134](#)) is granted in part in accordance with this Memorandum and Order.
2. The Clerk of the court is directed to restrict filing 136. However, I remind Defendants that I may, at a later date, choose to lift the restriction on filing 136.

3. The Clerk of the court, and Plaintiff's attorney, shall ensure that Plaintiff does not have access to the Exhibits in filing 136.

4. On the court's own motion, Plaintiff shall have until May 15, 2015, to file a response to Defendants' Motion for Summary Judgment. If Plaintiff does not intend to respond, counsel for Plaintiff shall promptly advise me by filing a notice in the court file.

DATED this 27<sup>th</sup> day of April, 2015.

BY THE COURT:

*Richard G. Kopf*

Senior United States District Judge

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